

IN THE HIGH COURT OF PUNJAB & HARYAN AT CHANDIGARH

R.S.A. No. 2953 of 2002
Date of decision: January 15, 2007

Punjab State Electricity Board and another V. Assistant Executive
Engineer

CORAM: HON'BLE MR.JUSTICE VINEY MITTAL

Present: Shri D.S.Chanan, Advocate, for the appellants.
Shri H.S.Saggu, Advocate, for the respondent.

Viney Mittal, J. (Oral)

The only contention raised by the learned counsel for the appellants is that in view of the law laid down by the Apex Court in Punjab State Electricity Board V. Ashwani Kumar J.T. 97(5) SC 182, the Civil Court has no jurisdiction and as such the judgment and decree of the appellate court cannot be sustained.

On the other hand, learned counsel appearing for the plaintiff-respondent has relied upon a Full Bench judgment of this court in M/s.Ranbaxy Laboratories Ltd V. Punjab State Electricity Board, Patiala 2004(1) R.C.R.(Civil) 816 to contend that in view of the law laid down by the Full Bench the Civil Court has jurisdiction and, therefore the contention raised by the appellants cannot be accepted.

In view of the law laid down by the Full Bench in M/s.Ranbaxy Laboratories Ltd.'s case (supra), the present appeal has no merit. The same is dismissed.

January 15, 2007
sks

(Viney Mittal)
Judge